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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ESTER ENRIQUEZ,

Defendant.

No. CR 08-00258 RS

STIPULATION AND [PROPOSED]
ORDER TO EXCLUDE TIME UNDER
THE SPEEDY TRIAL ACT

The undersigned parties hereby request that the Court exclude time under the Speedy Trial Act in the above captioned case pursuant to 18 U.S.C. § 3161(h)(2) from June 12, 2008 to September 18, 2008. The parties agree that pretrial diversion is an appropriate disposition, and the defendant has been referred to Pretrial Services for a determination if she is eligible for such a program. If the defendant is accepted into a pretrial diversion program, the parties will notify the Court and request that the next status appearance, scheduled for September 18, 2008, be

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vacated.

SO STIPULATED.

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: 6/12/08

/s/
SUSAN KNIGHT
Assistant United States Attorney

DATED: 6/12/08

/s/
LARA VINNARD
Assistant Federal Public Defender

ORDER

Based on the stipulation of the parties and for good cause shown, IT IS HEREBY ORDERED that time is excluded under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(2) from June 12, 2008 to September 18, 2008 for in order for the defendant to be evaluated by Pretrial Services in order to determine if she is eligible to participate in a pretrial diversion program.

DATED: _____

RICHARD SEEBORG
United States Magistrate Judge